

§ 522.90

\$3.20 an hour for the first 480 hours and \$3.275 an hour for the second 480 hours through November 2, 1990; at not less than \$3.65 an hour for the first 480 hours and \$3.725 an hour for the second 480 hours through March 31, 1991; and, at not less than \$4.10 an hour for the first 480 hours and \$4.175 an hour for the second 480 hours thereafter.

(3) In the occupation of hand making Italian Stogies, not less than \$3.20 an hour for the first 320 hours and \$3.275 an hour for the second 320 hours through November 2, 1990; not less than \$3.65 an hour for the first 320 hours and \$3.725 an hour for the second 320 hours through March 31, 1991; and, not less than \$4.10 an hour for the first 320 hours and \$4.175 an hour for the second 320 hours thereafter.

(4) In the occupations of hand stripping and machine stripping, not less than \$3.20 an hour through November 2, 1990; not less than \$3.65 an hour through March 31, 1991; and, not less than \$4.10 an hour thereafter.

(b) The earnings of learners employed on a piece rate basis shall be based on those piece rates if in excess of the authorized subminimum rates, in accordance with § 522.6(j).

[20 FR 2308, Apr. 9, 1955, as amended at 43 FR 5818, Feb. 10, 1978; 55 FR 46468, Nov. 2, 1990]

LUGGAGE, SMALL LEATHER GOODS AND LADIES' HANDBAG INDUSTRIES

§ 522.90 Applicability of general learner regulations.

The employment of learners pursuant to the provisions of §§ 522.90 to 522.93 shall be subject to all provisions of the general regulations governing the employment of learners (§§ 522.1 to 522.9), except to the extent to which any provision of such general regulations is inconsistent with any provision of §§ 522.90 to 522.93.

[22 FR 471, Jan. 24, 1957]

§ 522.91 Applicability of §§ 522.90 to 522.93.

For purposes of §§ 522.90 to 522.93, the luggage, small leather goods and ladies' handbag industries are defined as those industries manufacturing lug-

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gage, small leather goods and ladies' handbags.

[22 FR 471, Jan. 24, 1957]

§ 522.92 Issuance of learner certificates.

In the absence of extraordinary circumstances, applications for the employment of learners at wages lower than the statutory minimum wage in these industries shall be denied.

[32 FR 665, Jan. 20, 1967]

§ 522.93 Learner certificates in extraordinary circumstances.

In those cases where extraordinary circumstances are shown to exist, learner certificates for the employment of learners at wages lower than the statutory minimum wage shall be issued in accordance with the provisions of the general learner regulations (§§ 522.1 through 522.9) only after all interested parties have been given opportunity to present their views on the application pursuant to § 522.4.

[32 FR 665, Jan. 20, 1967]

SMALL ELECTRICAL PRODUCTS INDUSTRY

§ 522.100 Applicability of general regulations.

The employment of learners pursuant to the provisions of §§ 522.100 to 522.103 shall be subject to all provisions of the general regulations governing the employment of learners (§§ 522.1 to 522.9), except to the extent to which any provision of such general regulations is inconsistent with any provision of §§ 522.101 to 522.103.

[22 FR 3226, May 8, 1957]

§ 522.101 Applicability of §§ 522.100 to 522.103.

For purposes of §§ 522.100 to 522.103, the small electrical products industry is defined as the industry manufacturing such items as small switches, coils, relays, armatures, transformers, fuses, condensers, capacitors, radio speakers, and antennas.

[22 FR 3226, May 8, 1957]

Wage and Hour Division, Labor

§ 523.2

§ 522.102 Issuance of learner certificates.

In the absence of exceptional circumstances applications for the employment of learners at wages lower than the statutory minimum wage in the small electrical products industry shall be denied.

[32 FR 665, Jan. 20, 1967]

§ 522.103 Learner certificates in exceptional circumstances.

In each case where a prima facie showing of exceptional circumstances is initially made to the Administrator, the applicant will be given an opportunity to demonstrate at a public hearing, by reliable, probative, and substantial evidence, that the denial of the applicant for a special learner certificate will curtail opportunities for employment and that the granting of such certificate will not give a competitive advantage to the applicant or tend to depress working standards for experienced workers in the industry. At the public hearing interested persons will have full opportunity to appear, testify, and conduct such cross-examination as may be required for a full and true disclosure of the facts. In each case in which exceptional circumstances are shown to exist under the standards provided in this section, a special certificate for the employment of learners at wages less than the statutory minimum wage shall be issued in accordance with the provisions of the general learner regulations (§§ 522.1 to 522.9).

[32 FR 665, Jan. 20, 1967]

MEN'S AND BOYS' CLOTHING INDUSTRY

§ 522.104 General denial policy.

All applications for the employment of learners at wages lower than the statutory minimum wage in the men's and boys' clothing industry shall be denied. For the purpose of this section, the men's and boys' clothing industry is defined as the industry which manufactures men's, youths', and boys' suits, coats, and overcoats.

[32 FR 666, Jan. 20, 1967]

OFFICE AND CLERICAL OCCUPATIONS IN ANY INDUSTRY

§ 522.105 General denial policy.

All applications for the employment of learners at wages lower than the statutory minimum wage in office and clerical occupations in any industry shall be denied.

[32 FR 666, Jan. 20, 1967]

PART 523—EMPLOYMENT OF MESSENGERS

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AUTHORITY: Sec. 14, 52 Stat. 1068; 29 U.S.C. 214.

SOURCE: 3 FR 2485, Oct. 15, 1938, unless otherwise noted.

§ 523.1 Application for messengers.

Application may be made to the Administrator of the Wage and Hour Division, Department of Labor, Washington, DC 20210, to employ messengers to be engaged primarily in delivering letters and messages at a wage lower than the minimum wage applicable under section 6 of the Fair Labor Standards Act of 1938 (52 Stat. 1062; 29 U.S.C. 206) whenever employment at such lower rate is necessary to prevent curtailment of employment opportunities.

[3 FR 2485, Oct. 15, 1938, as amended at 15 FR 603, Feb. 3, 1950]

§ 523.2 Applications by groups or individuals.

Such application may be filed by an employer or employee or group of employers or employees. Preferential considerations will be given, however, to applications filed by groups or organizations which are deemed to be representative of the interests of a whole industry or branch thereof.